

2016 Regular Session

SENATE BILL NO. 76

BY SENATOR GATTI

CIVIL SERVICE. Constitutional amendment to remove prohibition against civil servants being able to participate or engage in political activities. (2/3-CA13s1(A))

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A JOINT RESOLUTION

Proposing to amend Article X, Section 9 and Section 47, and to repeal Article X, Section 20 of the Constitution of Louisiana, relative to permissible political activity for civil service employees; to provide for political activities; and to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to amend Article X, Section 9 and Section 47 of the Constitution of Louisiana, to read as follows:

§9. Prohibitions Against Political Activities

Section 9.(A) Party Membership; Elections. No member of a civil service commission and no officer or employee in the classified service shall ~~participate or engage in political activity~~; be a candidate for nomination or election to public office except to seek election as the classified state employee serving on the State Civil Service Commission; or be a member of any national, state, or local committee of a political party or faction ~~make or solicit contributions for any political party~~;

1 ~~faction, or candidate; or take active part in the management of the affairs of a~~  
 2 ~~political party, faction, candidate, or any political campaign, except to exercise his~~  
 3 ~~right as a citizen to express his opinion privately, to serve as a commissioner or~~  
 4 ~~official watcher at the polls, and to cast his vote as he desires.~~

5 (B) Contributions. No person shall ~~solicit contributions for political purposes~~  
 6 ~~from any classified employee or official or use or attempt to use his position in the~~  
 7 ~~state or city service to punish or coerce the political action of a classified employee.~~

8 (C) Political Activity Defined. As used in this Part, "political activity" means  
 9 ~~an effort to support or oppose the election of a candidate for political office or to~~  
 10 ~~support a particular political party in an election. The support of issues involving~~  
 11 ~~bonded indebtedness, tax referenda, or constitutional amendments shall not be~~  
 12 ~~prohibited.~~

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14 §47. Prohibitions Against Political Activities

15 Section 47.(A) Party Membership; Elections. No member of the commission  
 16 and no state police officer in the classified service shall ~~participate or engage in~~  
 17 ~~political activity~~; be a candidate for nomination or election to public office except  
 18 to seek election as the classified state police officer serving on the State Police  
 19 Commission; or be a member of any national, state, or local committee of a political  
 20 party or faction; ~~make or solicit contributions for any political party, faction, or~~  
 21 ~~candidate; or take active part in the management of the affairs of a political party,~~  
 22 ~~faction, candidate, or any political campaign, except to exercise his right as a citizen~~  
 23 ~~to express his opinion privately, to serve as a commissioner or official watcher at the~~  
 24 ~~polls, and to cast his vote as he desires.~~

25 (B) Contributions. No person shall ~~solicit contributions for political~~  
 26 ~~purposes from any classified state police officer or use or attempt to use his position~~  
 27 ~~to punish or coerce the political action of a classified state police officer.~~

28 (C) ~~Political Activity Defined.~~ As used in this Part, "political activity"  
 29 ~~means an effort to support or oppose the election of a candidate for political office~~

1           ~~or to support a particular political party in an election. The support or opposition of~~  
2           ~~a candidate seeking election as the classified state police officer member of the State~~  
3           ~~Police Commission, issues involving bonded indebtedness, tax referenda, or~~  
4           ~~constitutional amendments shall not be prohibited.~~

5           Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
6           elected to each house concurring, that there shall be submitted to the electors of the state of  
7           Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal  
8           Article X, Section 20 of the Constitution.

9           Section 3. Be it further resolved that this proposed amendment shall be submitted  
10          to the electors of the state of Louisiana at the statewide election to be held on November 8,  
11          2016.

12          Section 4. Be it further resolved that on the official ballot to be used at said election  
13          there shall be printed a proposition, upon which the electors of the state shall be permitted  
14          to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
15          follows:

16                 Do you support an amendment to remove the prohibition against civil service  
17                 employees participating in political activities as defined in the Louisiana  
18                 State Constitution which would allow civil service employees to participate  
19                 in certain political activities?

20                 (Amends Article X, Sections (9) and (47); Repeals Article X, Section (20))

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by J. Ashley Mitchell Carter.

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DIGEST

SB 76 Original

2016 Regular Session

Gatti

Present law prohibits civil service employees from participating in any political activity as  
specified by the Louisiana Constitution.

Proposed constitutional amendment removes provisions prohibiting civil service employees  
from participating in all political activity and allows them to participate in a political party  
or faction, campaigns, and to solicit and make contributions to a candidate.

Specifies submission of the amendment to the voters at the statewide election to be held on  
November 8, 2016.

(Amends Const. Art. X, Sec. 9; repeals Const. Art. X, Sec 20)